

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

UNITED STATES OF AMERICA,

Government,

VS.

SAM ROBERTS JUNIOR

Defendant.

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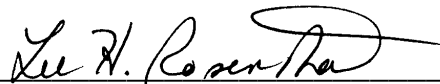
CRIMINAL NO. H-02-293-1

ORDER

The defendant has moved for early release or a reduction in his sentence based on his completion of the Bureau of Prisons Residential Drug Abuse Program and other achievements during his incarceration. He asserts that he is eligible for a sentence reduction. The defendant is serving a concurrent 25-month sentence for mail fraud and a 120-month sentence for unlawfully procuring naturalization. He is not eligible for a sentence reduction from this court. There is no motion under Rule 35 of the Federal Rules of Civil Procedure. The defendant's completion of the substance abuse education program does not qualify him for a sentence reduction under 18 U.S.C. § 3261(B).

Based on this record, the motion for early release/sentence reduction is denied.

SIGNED on February 28, 2008, at Houston, Texas.



Lee H. Rosenthal
United States District Judge